United Nations A/C.3/65/L.27

General Assembly

Distr.: Limited
25 October 2010

Original: English

Sixty-fifth session
Third Committee
Agenda item 68 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Austria, Belgium, Benin, Brazil, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Luxembourg, Madagascar, Mauritius, Morocco, Netherlands, Poland, Portugal, Senegal, Slovakia, Slovenia, Spain, Sudan, Sweden, Thailand and United Kingdom of Great Britain and Northern Ireland: draft resolution

The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights

The General Assembly,

Reaffirming its commitment to the principles and purposes of the Charter of the United Nations and the Universal Declaration of Human Rights,[1]

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] which reaffirmed the important and constructive role played by national human rights institutions,

Reaffirming its resolution 63/169 of 18 December 2008 regarding the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights,

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights, welcomed by the General Assembly in its resolution 48/134 of 20 December 1993 and annexed thereto,

Reaffirming its previous resolutions on national institutions for the promotion and protection of human rights, in particular resolution 64/161 of 18 December 2009,

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.

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Welcoming the rapidly growing interest throughout the world in the creation and strengthening of the Ombudsman, mediator and other national human rights institutions for the promotion and protection of human rights and recognizing the important role these institutions can play, in accordance with their mandate, in support of domestic complaint resolution,

Recognizing the role of the existing Ombudsman, whether a male or female, mediator and other national human rights institutions in the promotion and protection of human rights and fundamental freedoms,

Underlining the importance of the autonomy and independence of the Ombudsman, mediator and other national human rights institutions, where they exist, in order to enable them to consider all issues related to the field of their competences,

Considering the role of the Ombudsman, mediator and other national human rights institutions in promoting good governance in public administrations, as well as improving their relations with citizens, and in strengthening the delivery of public services,

Considering also the important role of the existing Ombudsman, mediator and other national human rights institutions in contributing to the effective realization of the rule of law and respect for the principles of justice and equality,

Stressing that these institutions, where they exist, can have an important role in advising the Government with respect to bringing national legislation and national practices in line with their international human rights obligations,

Stressing also the importance of international cooperation in the field of human rights, and recalling the role played by regional and international associations of the Ombudsman, mediators and other national human rights institutions in promoting cooperation and sharing best practices,

Noting with satisfaction the establishment of the Association of Mediterranean Ombudsmen, the active continuing work of the Ibero-American Federation of Ombudsmen, the Association of Ombudsmen and Mediators of the Francophonie, the Asian Ombudsman Association, the African Ombudsman and Mediators Association, the Arab Ombudsman Network, the European Mediation Network and the International Ombudsman Institute,

1. *Takes note with appreciation* of the report of the Secretary-General on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights;[3]

2. *Encourages* Member States:

(a) To consider the creation or the strengthening of independent and autonomous Ombudsman, mediator and other national human rights institutions;

(b) To develop and conduct, as appropriate, outreach activities at the national level, in collaboration with all relevant stakeholders, in order to raise awareness of the important role of Ombudsman, mediator and other national human rights institutions;

[3] A/65/340.

3. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights,[2] it is the right of each State to choose the framework for national institutions, including Ombudsman, mediator and other national human rights institutions, that is best suited to its particular needs at the national level, in order to promote human rights in accordance with international human rights instruments;

4. *Takes note* of the participation of the Office of the United Nations High Commissioner for Human Rights at the World Conference of the International Ombudsman Institute in Stockholm in June 2009, and welcomes the active participation of the Office in all international and regional meetings of Ombudsman, mediator and other national human rights institutions;

5. *Encourages* the Office of the High Commissioner for Human Rights, through its advisory services, to develop and support activities dedicated to existing Ombudsman, mediator and other national human rights institutions and to strengthen their role within national systems for human rights protection;

6. *Encourages* Ombudsman, mediator and other national human rights institutions, where they exist:

(a) To operate, as appropriate, in accordance with the Paris Principles relating to the status of national institutions for the promotion and protection of human rights[4] and other relevant international instruments, in order to strengthen their independence and autonomy and enhance their capacity, to assist Member States in the promotion and protection of human rights;

(b) To request, in cooperation with the Office of the United Nations High Commissioner for Human Rights, their accreditation by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, in order to enable them to interact effectively with the relevant human rights bodies of the United Nations system;

7. *Requests* the Secretary General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution.

[4] Resolution 48/134, annex.